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Jeyhan Karaoguz

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MCANDREWS HELD & MALLOY, LTD  
500 WEST MADISON STREET  
SUITE 3400  
CHICAGO, IL 60661

EXAMINER

LUONG, ALAN H

ART UNIT

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4126

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/672,664

Applicant(s)

KARAOGUZ ET AL.

Examiner

ALAN LUONG

Art Unit

4126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: The disclosure is objected to because of the following informalities: Incomplete US Patent Application Serial No. of Paragraph [0002] line 16 and 18.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pub. No. 2003/0097655 (US'655) to Novak; in view of US Pub. No. 2004/0203379 A1 (US'379) to Witkowski et al.

**Regarding to claims 1, 14:** Novak discloses a system providing support for the delivery of media to a verification entity, the system comprising:

a storage (310 of Fig. 3) for storing media (US'655, para.[0077]), and having an associated first network address (network components have an Internet Protocol (IP) address; para. [0049])

set top box (102) circuitry (A/V controller 308) communicatively coupled to the storage (310 of Fig. 3, para. [0076]), the set top box circuitry arranged to exchange media via a communication network (101,110 of Fig. 1) using a first communication interface (a smart card reader 305 of Fig. 3, para.[0074]), the set top box-supporting wireless communication of media (Internet 112 of Fig. 1) using a second communication interface (Network Interface 302) (see Fig. 3 and para. [0071, 0072]);

a user interface (a GUI on TV 104) to support the delivery of media, the user interface having at least one view comprising a representation of a sequence of media available for delivery to a verification entity 406 (para.[0076]);

at least one server (310 of Fig. 3) for storing media (para.[0077]) , and having an associated third network address (para.[0049]); and

server software (see Fig. 4, para. [0137, 0138]) that receives a request (409), via the communication network, identifying at least one of the associated first, second, and third network addresses (para.[0049]) and authorization information ( para.[0049, 0112 and 0139]), and responds by identifying at least one other of the at least one of the associated first, second, and third network addresses to support the delivery of media to the at least one verification entity (406; para. [0085]).

However, Novak does not teach at least one authorized vehicle system communicatively coupled to a set top box via the second communication interface; at least one vehicle system having an associated second network address and a

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representation of a sequence of media available for delivery to at least one vehicle system.

Witkowski teaches that at least one vehicle system (a vehicle 14) communicatively coupled to a home computer 92 ( a set top box as a PC computer) via the second communication interface (RF wireless communication link between a transceiver 10b as a portal from the user's car to those devices in the home that are equipped with RF transceivers 10a; see US' 379, Fig. 9 and para. [0070]; at least one vehicle system having an associated second network address (VIN of vehicle is delivered to the computer from RF transceiver 10b located in vehicle; see para. [0073]). And the user interface having at least one view comprising a representation of a sequence of media (a user interface 88 of Fig. 9) available for delivery to (as a display system 22 of Fig. 1; para. [0048] lines 11-18, and para. [0076]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify a vehicle system with a wireless communication link as taught by Witkowski in the media exchange and consumption system of Novak; in order to include a verification entity as the vehicle system which are including the media devices for information exchange and consumption in a wireless communication network.

**Regarding to claims 2, 15 and 26:** Novak also discloses the system of claim 1 wherein the media comprises at least one of audio, a still image, video, real-time video, and data (US'655, para.[0082] and Fig. 4).

**Regarding to claims 3, 16:** Witkowski teaches the system of claim 1 wherein the media comprises at least one of navigational information (US'379, para.[0078, 0079]), information related to commercial broadcasters (para. [0060, 0081]), software, travel routing information ("points of interest" along with user's destination in GPS system; para. [0079, 0081]), information related to vehicle performance (para.[0052], and vehicle service information (could be associated with PC in a vehicle dealership; para. [0071]).

**Regarding to claim 4:** Novak teaches the system of claim 1 wherein at least one of the associated first, second, and third network addresses is an Internet protocol (IP) address, a media access control (MAC) address, and an electronic serial number (ESN). (US'655, para. [0049]).

**Regarding to claims 5, 6, 17 and 18:** Novak also teaches the system of claim 1 wherein the communication network comprises at least one of a cable infrastructure, a satellite network infrastructure (US'655, para. [0052, 0053]), a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, a wireless infrastructure (para. [0085]) and an Internet (112 of Fig. 1 and para. [0057, 0060, 0084, 0085 and 0098]).

**Regarding to claims 7 and 30:** Novak teaches the system of claim 1 wherein the second communication interface comprises at least one of an infrared link and a radio frequency link (US'655, para. [0050, 0051]; remote control 106 and keyboard 108 may use IR and RF to transmit control signals, see Fig. 1).

**Regarding to claims 8, 19:** Witkowski discloses the system of claim 1 wherein the at least one vehicle system comprises at least one of a vehicle navigation system (US'379, a GPS device 100 of Fig. 10, para. [0079]), a vehicle entertainment system ( an audio system 20), a vehicle video system ( a display system 22) (see para. [0048], Fig. 1), and a vehicle music system (a CD player in notebook computer) (12 of Fig. 1, para [0051] lines 19-26).

**Regarding to claims 9, 20:** Witkowski teaches the system of claim 1 wherein the at least one vehicle system (a vehicle 14) comprises an interface (user interface 88) to at least one media peripheral (20 and 22 of Fig. 9, para.[0076, 0077]).

**Regarding to claims 10, 21:** Novak discloses the system of claim 9 wherein the at least one media peripheral comprises at least one a digital camera, a digital camcorder (246), a television (104), a personal computer (para.[0125]), a tape player, a MP3 player and a CD player (modern CD player may have a cassette tape and MP3 enable feature; ( para. [0005], [0035] lines 5-6), a multi-media gateway device (STB 102 as a gateway, see para. [0047] lines 4-5), a multi-media personal digital assistant (a PDA , para.[0125]), a DVD player (para. [0005] and [0035] lines 5-6), (also see Fig. 2).

**Regarding to claims 11, 22:** Novak discloses the system of claim 9 wherein the authorization information (para.[0089]) is supplied by the at least one media peripheral (a remote control 106 or key board 108) (Fig. 4).

**Regarding to claim 12, 23, 28:** Novak discloses the system of claim 1 wherein the authorization information comprises a digital certificate comprising at least one of a device ID (para.[0087], [0089] and 602 of Fig. 6 and para. [0112]), a public key ( an encrypted access key 414 of Fig. 4) for encryption (para.[0086] and [0096]) and media push/access restrictions and limitations ([para.0090]), but fails to teach an information related to services , information regarding payment terms, information regarding billing.

Witkowski teaches the authorization information (VIN, para. [0073]) comprises information related to services (para.[0052] and [0054]), information regarding payment terms (para. [0060]), information regarding billing (para. [0060]), and media push/access restrictions and limitations (para. [0080] to [0082]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify an authorization information including an information related to services , information regarding payment terms, information regarding billing, and media push/access restrictions and limitations as taught by Witkowski in the media exchange and consumption system of Novak to complete the user's verification process.

**Regarding to claims 13, 24:** Novak discloses the system of claim 1 wherein the at least one server (the access key source 416 is a server; para.[0098]) supports at least one of media storage (the digital content 404), third party media services(a trusted third party TTP), the provision of third party media, and the exchange of media (Fig. 4 and para. [0090]),



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**Regarding to claim 25:** Novak teaches a method for delivering media to a verification entity, the method comprising:

selecting media (404 of Fig. 4) for delivery based upon input from a user (402 of Fig. 4) (para. [0128]);

identifying a verification entity 406; wherein communication with license key 412 and access key from the network interface 302 to receive (the license 411) (para. [0130]) the selected media based upon input from the user;

determining if the verification entity is available to receive the selected media (access key 414 from the key source 416; see para.[0131])

receiving (box 906 of Fig. 9) authorization information (para. [0025, 0089] and [0130]) from the verification entity;

verifying (para. [0129, 0132 and 0133]) the authorization information;

delivering (para. [0135, 0136] the selected media to (the display TV 104) if the verification is successful (para.[0139]) and the user's set Top Box 102 is available to receive the selected media (para. [0142, and 0143]); and

refraining (box 502, 504 of Fig. 5) from delivering the selected media to the user Set Top box 102 (para. [0107]) if the verification is not successful (para.[0106] box 504 of Fig. 5) or the user Set Top box 102 is not available to receive the selected media (para. [0110]).

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However, Novak fails to teach the vehicle system in his invention.

Witkowski teaches the vehicle system as a verification entity that transmits and receives the media exchange and consumption through communication network interface (Fig. 9 and para. [0076, 0077]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify an vehicle system as taught by Witkowski in media exchange network of Novak; to provide the method for delivering media to an authorized vehicle.

**Regarding to claim 27:** Novak teaches the method of claim 25 wherein the selecting and identifying are performed via a user interface (A/V controller 308) having at least one view comprising a graphical representation of media (GUI) available for delivery to the at least one media peripheral (TV 104)( Fig. 3 and para.[0076]).

**Regarding to claim 29:** Witkowski teaches the method of claim 25 wherein the receiving and delivering are performed using a wireless communication link (para.[0012], [0014], [0019], [0041],[0042],[0059], [0064], [0082], [0083], [0084]).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN LUONG whose telephone number is (571) 270-5091. The examiner can normally be reached on Mon.-Thurs., 8:00am-5pm EST.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alan H. Luong  
Art Unit 4126

Date 10/16/2007



DENNIS DOON CHOW  
SUPERVISORY PATENT EXAMINER